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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,152

07/28/2003

Chang-Ta Wu

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11/02/2005

J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

PAIK, STEVE S

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,152

Applicant(s)

WU ET AL.

Examiner

Steven S. Paik

Art Unit

2876.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment filed August 15, 2005. The applicant cancelled claims 5 and 12.

Drawings

2. The drawings were received on August 15, 2005. These drawings are acceptable.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites "wherein the radio frequency magnetic identification reader is an e-card". The reader cannot be a card in light of the specification. Therefore, the claim fails to particularly recite the claimed invention. Appropriate correction is required

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1, 6-9, 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogasawara (US 6,513,015 B2).

Re claims 1 and 7, Ogasawara discloses a contactless radio frequency magnetic field data transmission card (customer ID card 10 (electronic card); col. 4, ll. 17-39), for transceiving a message with a radio frequency (RF) magnetic field identification reader (18, 20, 22, 26, and 28 in Fig. 1), comprising;

an antenna module (RF receiver/transmitter);

a microprocessing unit (central processing unit 40) for transceiving the message according to a transmission protocol (a predefined range of a radio frequency band, for example, 900MHz – 2.4 GHz will be a part of a transmission protocol for the wireless communication); and

a magnetic field identification chip, coupled to the antenna module and the micro processing unit for converting the message into a magnetic field signal and then transmitting the magnetic field signal through the antenna module, and converting a magnetic field signal received by the antenna module into the message (col. 12, ll. 45-58).

Re claims 8 and 13, Ogasawara discloses a contactless radio frequency magnetic field transmission system (Fig. 1), comprising:

a radio frequency magnetic identification reader (18, 20, 22, 26, and 28 in Fig. 1), having a magnetic identification chip (interrogator and receiver/transmitter 22) for transceiving a magnetic field signal; and

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a contactless radio frequency magnetic field data transmission card (customer ID card 10 (electronic card); col. 4, ll. 17-39), having a magnetic identification chip (34) for transceiving the magnetic field signal,

wherein a message is transmitted between the radio frequency magnetic identification reader (18, 20, 22, 26, and 28 in Fig. 1), and the contactless radio frequency magnetic field transmission card (10; electronic card) according to a transmission protocol (it is inherent for any wireless communication system to have a transmission protocol in order to successfully exchange data in a wireless manner.).

Re claims 6 and 14, Ogasawara discloses the contactless radio frequency magnetic field data transmission card as recited in rejected claims 1 and 8 stated above, wherein the contactless radio frequency magnetic field data transmission card is used as an e-purse (Ogasawara discloses that the card might be a contact-type IC card, magnetic stripe card, barcode card, barcode tag, wireless tag or a wireless card. He further discloses that the card includes an IC chip with a memory that stores customer's name and demographic profile information, customer's shopping transaction history information along with accrued loyalty or incentive points. The card might also be suitably configured as an ordinary credit, or other form of personal property, which incorporates an IC wireless tag chip.).

Re claim 9, Ogasawara discloses the contactless radio frequency magnetic field data transmission system as recited in rejected claim 8 stated above, wherein the contactless radio frequency magnetic field data transmission card (10) farther comprises an antenna module (34 in Fig. 2) and a micro processing unit (40).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 3, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (US 6,513,015 B2) in view of Winder et al. (US 6,133,832).

The teachings of Ogasawara have been fully discussed above with the exception of a radio frequency tag comprising a liquid crystal display and an input peripheral.

Winder et al. disclose an article location/identification tag (16) comprising, among other things, an LCD display (24) and a keypad (26). The LCD and keypad allows a user to identify and ensure the data being exchanged in a wireless manner are accurate and as intended by the user.

In view of Winder et al.'s teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ an LCD and a keypad in addition to the contactless radio frequency magnetic field data card of Ogasawara due to the fact that accurate input and output processes can be accomplished during the wireless communication using the card.

9. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (US 6,513,015 B2) in view of Waterhouse et al. (US 2004/0205350 A1).

The teachings of Ogasawara have been fully discussed above.

However, Ogasawara is silent about the transmission card using a 4-bit data format.

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Waterhouse et al. disclose a microprocessor (14) that is a 4-bit microprocessor. The 4-bit microprocessor of Waterhouse handles and transceives a 4-bit code data package.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated a 4-bit microprocessor of Waterhouse et al. into the teachings of Ogasawara since both processors provide substantially equivalent functions. Waterhouse reference is provided for the purpose of disclosing a 4-bit microprocessor installed within a radio frequency ID tag since Ogasawara does not explicitly disclose a type of microprocessor that is used in the contactless radio frequency magnetic field data card.

Response to Arguments

10. Applicant's arguments, see pages 5-11, filed August 15, 2005, with respect to the rejection(s) of claim(s) 1-16 under 35 U.S.C. § 112, 102 and/or 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ogasawara (US 6,513,015 B2); Winder et al. (US 6,133,832) and Waterhouse et al. (US 2004/0205350 A1).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 5:30a-2:00p (Maxi-Flex*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven S. Paik
Primary Examiner
Art Unit 2876

ssp